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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 BRIAN D. EDWARDS,

12 Petitioner,

13 vs.

14 LARRY SMALL, Warden,

15 Respondent.

CASE NO. 10cv0918 JM(JMA)


ORDER ADOPTING REPORT AND
RECOMMENDATION

16 Having carefully considered Magistrate Judge Adler's thorough and thoughtful Report and
17 Recommendation ("R & R") regarding the dismissal of the petition for writ of habeas corpus as time-
18 barred, the record before the court, the absence of any objections to the R & R, and applicable
19 authorities, the court adopts the R & R in its entirety.

20 In sum, the R & R is adopted in its entirety and the petition for writ of habeas corpus is
21 dismissed as time-barred. The Clerk of Court is instructed to close the file.

22 **IT IS SO ORDERED.**

23 DATED: March 16, 2011

24 
25 Hon. Jeffrey T. Miller
United States District Judge

26 cc: All parties
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